

\$ 32.00

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3-214A035

August 2, 1993

RECORDATION NO. 16650-C
FILED 1425

AUG 2 1993 3:10 PM

INTERSTATE COMMERCE COMMISSION

AUG 2 3 02 PM '93
MOTOR OPERATING UNIT

Mr. Sidney L. Strickland, Jr.
Secretary
Interstate Commerce Commission
Washington, D.C. 20423

Dear Mr. Strickland:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11303(a) are three (3) fully executed and acknowledged copies of a Termination and Release of Security Interest dated as of July 28, 1993, a secondary document as defined in the Commission's Rules for the Recordation of Documents under 49 C.F.R. Section 1177.

The enclosed document relates to the Security Agreement dated as of December 11, 1991, which was filed and recorded with the Commission under Recordation Number 16650.

The name and address of the party executing the enclosed document are:

The Bank of New York, Trustee
101 Barclay Street
New York, New York 10286

A description of the railroad equipment covered by the enclosed document is set forth in Schedule "A" thereto.

Also enclosed is a check in the amount of \$16.00 payable to the order of the Interstate Commerce Commission covering the required recordation fee.

Betty J. Strickland

C. Alvord


Mr. Sidney L. Strickland, Jr.
August 2, 1993
Page 2

Kindly return two (2) stamped copies of the enclosed document to Charles T. Kappler, Esq., Alvord and Alvord, 918 Sixteenth Street, N.W., Washington, D.C. 20006.

A short summary of the enclosed secondary document to appear in the Commission's Index is:

Full Release of Security Interest

Very truly yours,


Charles T. Kappler

CTK/bg
Enclosures

Interstate Commerce Commission

Washington, D.C. 20423

7

OFFICE OF THE SECRETARY

8/2/93

Charles T. Kappler

Alvord & Alvord

918 16th St N.W.

Washington, D.C. 20006

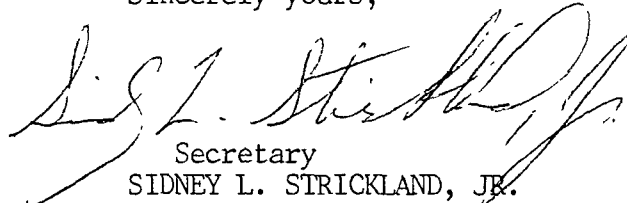
Dear

Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on **8/2/93** at **2:10pm**, and assigned recordation number(s).

16650-C & 16651-E

Sincerely yours,



Secretary
SIDNEY L. STRICKLAND, JR.

Enclosure(s)

TERMINATION AND RELEASE
OF SECURITY INTEREST

JUL 2 1993 3:10 PM

INTERSTATE COMMERCE COMMISSION

The undersigned, The Bank of New York Trustee under a Pooling and Servicing Agreement dated December 26, 1991 ("BONY"), for good and valuable consideration, the receipt and sufficiency of which is acknowledged, terminates, releases and discharges its security interest, lien, chattel mortgage and other interest in and to the Railroad Equipment specifically identified on attached Schedule A to this Termination and Release (the "Equipment"), which security interests were granted pursuant to the following agreements, previously recorded with the Interstate Commerce Commission ("ICC"):

- (i) that certain Security Agreement Number 101-1250027-070 dated as of December 18, 1991 between Chrysler Capital Corporation as Secured Party and GP-38 Partners 89, such Servicing Agreement having been Recorded on the 13th day of December, 1989 with the Interstate Commerce Commission and bearing Recordation No. 16650, such Security Agreement having been assigned by Chrysler Capital Corporation to CC Funding Corporation, pursuant to an Assignment of Security Recorded on the 27th day of December, 1991 with the Interstate Commerce Commission bearing Recordation No. 16650-A, and further Assigned by CC Funding Corporation to BONY pursuant to an Assignment of Security Agreement Recorded on the 27th day of December, 1991 with Interstate Commerce Commission bearing Recordation No. 16650-B.

Executed as of this 28th day of JULY, 1993.

The Bank of New York, Trustee

By: [Signature]

Its: Assistant Vice President

SCHEDULE "A"

Equipment description to the Security Agreement Number
Dec. 11, 1989 Dated 101-1250027-07c and Promissory
 Note dated Dec 11, 1989 By and between Chrysler Capital
 Corporation, as Secured Party and GP-38 Partners 89 as Debtor.

Quantity

Description

1. Four (4)

1969 General Motors EMD Model GP-38 with
 Model 16-645E normally aspirated engines.

<u>Unit #</u>	<u>Unit Serial #</u>	<u>Prime Mover S/N</u>
Euka 30	34754	69-B2-1100
Euka 31	34755	69-B2-1118
Euka 32	35449	72-D2-1045
Euka 33	35450	70-M2-1108

2. Locomotive Lease Agreement dated November 1, 1989 between
 GP-38 Partners 89 and Eureka Southern Railroad Company, Inc.
 (the "Lease");

3. The monthly lease payments due under the Lease;

4. Proceeds of the foregoing collateral.

State of New York

County of New York

On this 28th day of July, 1993, before me personally appeared TODD NIEMY, to me personally known, who, being by me duly sworn, says that (s)he is a Assistant Vice President of The Bank of New York, that (s)he is duly authorized to sign the foregoing instrument on behalf of The Bank of New York, and that said instrument was signed on behalf of The Bank of New York, and (s)he acknowledged that the execution of the foregoing instrument was the free act and deed of The Bank of New York.

Marion Papadogonas
Notary Public

(Notarial Seal)

My Commission Expires: _____

MARION PAPADOGONAS
Notary Public, State of New York
No. 31-4842989
Qualified in New York County
Commission Expires May 31, 1995